IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9664 OF 2004

Smt.Madina Dawal Shaikh .. Petitioner.
Vs.
Grampanchayat Malakavathe & Ors. .. Respondents.

Mr.B.G.Vaidya for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 7TH DECEMBER, 2004

P.C.:

. Heard Mr.Vaidya, learned counsel for the petitioner.

2. The only point urged by Mr.Vaidya, learned counsel for the petitioner is that the provisions of sub-rule 2 of rule 2 of the Bombay Village Panchayats Sarpanch and Upa-Sarpanch (No Confidence Motion) Rules 1975 was not complied with. According to Mr.Vaidya, the Tahsildar had not send a copy of the notice under sub-rule 1 to the Collector and Commissioner as required under that provision. A perusal of the order passed by the authorities below, namely, Additional Collector and the Commissioner show that the provisions contain in sub-rule 2 of rule 2 were also complied with by the Tahsildar before holding a meeting in

which no confidence motion was carried against the petitioner. Considering that there are concurrent findings recorded by the authorities below and there is sufficient material on record to sustain those findings and considering extremely limited jurisdiction of this court under Article 226 of the Constitution of India to disturb those findings this writ petition cannot be entertained. The writ petition, therefore, fails and is dismissed as such.

(D.B.Bhosale, J.)